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ABSTRACT

This report presents Wisconsin state legislation dealing with custody arrangements. Part I gives key provisions of 1987 Assembly Bill 205. Part II reviews background activities related to the custody legislation. Part III discusses major issues relating to child custody arrangements, including definition clarification, child custody dispute resolution procedures, the joint custody award system, the standard for changing custody arrangements, the removal of a child's residence, and visitation rights of nonparents. Part IV summarizes provisions of the bill in the areas of: (1) definitions of relevant terms (legal custody, sole legal custody, joint legal custody, and physical placement); (2) joint legal custody; (3) periods of physical placement; (4) mediation; (5) modification of child custody order; (6) visitation rights of nonparents; (7) factors in legal custody determination; (8) miscellaneous changes; and (9) initial applicability and effective dates. A list of materials of the Wisconsin Legislative Council's Special Committee on Custody Arrangements is appended. (NB)

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WISCONSIN LEGISLATIVE COUNCIL
REPORT NO. 2 TO THE 1987 LEGISLATURE

CG 0206 39 ED292032

LEGISLATION ON CUSTODY ARRANGEMENTS

1987 ASSEMBLY BILL 205, RELATING TO GRANTING LEGAL CUSTODY, PERIODS OF PHYSICAL PLACEMENT AND VISITATION IN AN ACTION AFFECTING THE FAMILY AND MAKING AN APPROPRIATION

LEGISLATIVE COUNCIL STAFF
STATE CAPITOL
MADISON, WISCONSIN

MARCH 11, 1987

RL 87-2

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REPORT NO. 2 TO THE 1987 LEGISLATURE*

LEGISLATION ON CUSTODY ARRANGEMENTS

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*Prepared by: Don Salm, Staff Attorney, Legislative Council Staff.

PART I

KEY PROVISIONS OF 1987 ASSEMBLY BILL 205

1. Creates specific definitions of "sole legal custody" and "joint legal custody."

2. Replaces the current concept of parental (but not other person's) "visitation rights" with a requirement that the court, if in the child's best interest, allocate between the parents "periods of physical placement" with the child.

3. Permits the court, after making appropriate findings, to order joint legal custody of a child where only one of the parents requests joint legal custody.

4. Requires every county to have mediation services available to assist in the resolution of disputes and problems relating to child custody.

5. Requires parents who are contesting child custody to attend an initial session with a mediator to assess whether the parents are appropriate for participation in mediation and are willing to attempt to resolve their differences in the mediation process.

6. Creates new standards, for post-judgment changes in legal custody and physical placement of a child, based on the best interest of the child and the presence of a substantial change of circumstances since the last order affecting custody.

7. Requires a parent with legal custody and periods of physical placement, who wishes to move a child's residence within the state to a place 200 miles or more from another parent with periods of physical placement, to give written notice of the change to the other parent; and establishes specific factors the court must consider in granting or denying such removal of a child, if the other parent objects.

PART II

BACKGROUND

A. ACTIVITY IN 1984-85

The Legislative Council established the 1984-85 Special Committee on Custody Arnangements by a July 17, 1984 mail ballot, pursuant to the terms of 1983 Assembly Joint Resolution 106. The Committee was directed to review existing laws relating to child custody determinations in actions affecting the family. In particular, the Committee was directed to study ways to encourage shared parenting options, including imposing joint custody without the agreement of the parties, and ways to provide support services to families in custody matters to ensure that the best interest of the child continues to be served after a child's parents become divorced or separated.

The Committee, as originally appointed, consisted of two Senators, five Representatives and 10 Public Members. The Committee held 18 meetings on the following dates at the State Capitol, Madison, and at various locations throughout the state:

August 15, 1984	January 21, 1985	May 11, 1985
September 17,1984	February 18, 1985	May 13, 1985
October 2, 1984	March 4, 1985	May 16, 1985
October 15, 1984	March 25, 1985	May 20, 1985
November 12, 1984	April 22, 1985	June 3, 1985
December 17, 1984	May 10, 1985	June 24, 1985

At its June 24, 1985 meeting, the Special Committee recommended that the Legislative Council introduce the proposal relating to granting legal custody, periods of physical placement and visitation rights in an action affecting the family, by a vote of Ayes, 13 (Reps. Bell, Rutkowski, Schober and Walling; Public Members Bliss, Fineman, Jeffords, Kohler, Larson, Munts, Skyles, Van Kampen and Williams); Noes, 0; and Absent, 4 (Sens. Adelman and Davis; Public Members Bakke and Cooper).

At its August 1, 1985 meeting, the Legislative Council voted to introduce the proposal, with several minor amendments, by a vote of Ayes, 12 (Sen. Risser; Speaker Loftus; Sens. Cullen, Davis, Engeleiter, George and Harsdorf; Reps. Becker, Bell, Clarenbach, Coggs and Schneider); Noes, 4 (Rep. Thompson; Sen. Lee; Reps. Bradley and McEssy); and Absent, 4 (Sens. Norquist and Strohl; Reps. Nelsen and Tesmer).

The proposal was introduced on September 20, 1985, as 1985 Assembly Bill 474. That Bill, as amended, was passed by both the Assembly and the

Senate; but the Assembly was not able to take final floor action on Senate amendments on the last day of the final floorperiod of the 1985 Legislative Session.

B. ACTIVITY IN 1987

The Legislative Council's Subcommittee to Review 1985 Council Bills Not Enacted recommended that the Legislative Council reintroduce 1985 Assembly Bill 474 because there is a continuing interest in child custody dispute issues and procedures.

At its February 19, 1987 meeting, the Legislative Council voted to introduce the proposal in the 1987 Legislative Session by a vote of Ayes, 17 (Speaker Loftus; Sen. Risser; Reps. Nelsen, Bell, Bradley, Clarenbach, Coggs, McEssy, Prosser and Schneider; and Sens. Davis, Engeleiter, George, Harsdorf, Kreul, Moen and Norquist); Noes, 3 (Reps. Hauke and Tesmer; and Sen. Lee); and Absent, 1 (Sen. Strohl). The proposal was introduced on March 10, 1987, as 1987 Assembly Bill 205 and referred to the Assembly Judiciary Committee.

PART III

MAJOR ISSUES CONSIDERED

The 1985-86 Special Committee on Custody Arrangements identified the most significant issues relating to child custody determinations in divorce and other actions affecting the family. These issues included: (a) definition clarification; (b) child custody dispute resolution procedures; (c) joint custody award system; (d) the standard for changing custody arrangements; (e) the removal of a child's residence; and (f) visitation rights of nonparents.

A. DEFINITION CLARIFICATION

The few definitions relating to child custody in current law are not very helpful to the court or to parents in defining the rights and responsibilities of parents after a divorce or other separation. Current law does not clearly distinguish between: (1) the power to make major decisions concerning the child; and (2) the right and responsibility to make routine daily decisions concerning the child during the time the child is with one of the parents.

In its use of the term "visitation rights," current law reinforces the concept that a parent without legal custody of a child is merely a "visitor" in the child's life. Yet, that parent and child may have a close and continuing relationship after the divorce or separation.

B. CHILD CUSTODY DISPUTE RESOLUTION PROCEDURES

Current law often increases the anger, polarization and "game-playing" of divorcing or separating parents by emphasizing the adversarial nature of custody determinations. Rather, the Special Committee concluded, the law should provide the parents with the information and dispute resolution mechanisms necessary for them to mentally plan for the future care of their children.

Based on public testimony, and a review of the studies and literature on the use of mediation in actions affecting the family, the Special Committee concluded that, in many cases, mediation is a more appropriate method for resolving child custody disputes than the current adversarial process. Mediation offers the following benefits:

1. Parties may be more satisfied with the fairness of the process and the final agreement arrived at;

2. Parties are more likely to comply with a mediated agreement and less likely to engage in relitigation of the issues decided in mediation; and

3. Mediation, in many cases, reduces the costs to the parties and to the court system by efficiently resolving custody and other issues in a nonjudicial setting.

C. JOINT CUSTODY AWARD SYSTEM

Current law encourages the use of joint child custody as a bargaining chip by permitting one parent to veto joint custody: (1) despite the willingness of both parents to maintain an active role in raising their children; and (2) despite the apparent ability of the parents to cooperate in the future decision-making required by an award of joint custody.

The Special Committee found that past empirical research is insufficient to warrant a presumption or a preference for joint custody in all or even some cases. However, the Committee noted that there is substantial research emphasizing the importance of the child's continuing contact and relationship with both parents after the parents have divorced or separated. If granted in appropriate circumstances, it was agreed that joint custody is an effective means to foster such continuing contact and relationship with both parents.

D. STANDARD FOR CHANGE IN CUSTODY

Current law requires a parent seeking a post-judgment change in a child custody order to meet very high standards before the court is permitted to change the order. Current s. 767.32 (2), Stats., requires the party seeking a modification to show, by substantial evidence, that a change in custody is "necessary" to the best interest of the child, which has been judicially interpreted to mean that it must be shown that current custodial conditions are harmful in some way to the best interest of the child.

The Special Committee concluded that this "harm" standard effectively precludes most post-judgment changes in custody, even where such changes would be in the best interest of the child. However, the Special Committee also concluded that any standard for change of custody must also recognize the importance to the child of stability and continuity in his or her placement.

E. REMOVAL OF CHILD'S RESIDENCE

The provisions in current law regarding change of a child's residence apply only to moves outside the state. However, a move within the state may have an equal, or more serious, effect on the noncustodial parent's exercise of visitation rights.

The Special Committee found that the removal provisions should apply to certain in-state moves which clearly may affect the rights of one of the parents to see his or her child.

F. VISITATION RIGHTS OF NONPARENTS

Current law does not recognize the importance to the child of continuing contact with stepparents or other persons with whom the child has lived in a parent-child type relationship.

The Special Committee found that there are currently many cases in which a nonparent who has had a close, meaningful relationship with a child during the parents' marriage is denied an opportunity to even petition for visitation rights with that child after the parents are divorced or separated.

PART IV

SUMMARY OF PROVISIONS OF 1987 ASSEMBLY BILL 205

1987 Assembly Bill 205 makes numerous changes in the statutes governing actions affecting the family. Highlights of Assembly Bill 205 are summarized in this Part. The Bill itself, and the NOTES to specific provisions of the Bill, provide more detailed information.

A. DEFINITIONS

The Bill creates the following definitions relating to child custody in actions affecting the family:

1. "Legal custody" means the right and responsibility of a person to make major decisions concerning the child.

2. "Sole legal custody" means the condition under which one person has legal custody.

3. "Joint legal custody" means the condition under which both parents share legal custody and neither parent's rights are superior.

4. "Physical placement" means the condition under which a parent has the right to have a child physically placed with that parent and the right and responsibility to make, during that placement, routine daily decisions regarding the child's care. The Bill specifies that the routine daily decisions must be consistent with the major decisions made by a person having legal custody.

B. JOINT LEGAL CUSTODY

1. The Bill permits the court to order joint legal custody if either of the following applies:

   a. Both parties agree to joint legal custody.

   b. The parties do not agree to joint legal custody, but one party requests joint legal custody and the court specifically finds:

   (1) That both parties are capable of performing parental duties and responsibilities and wish to have an active role in raising the child.

(2) That there are no existing conditions which would interfere with the exercise of joint legal custody.

(3) That the parties will be able to cooperate in the future decision-making required by an award of joint legal custody.

Current law permits a court to order joint custody only if the parties agree to joint custody and if it is in the best interest of the child.

2. The Bill gives the court some flexibility in ordering joint legal custody by permitting the court to give sole power to one of the joint legal custodians to make certain major decisions concerning the child while both parents retain equal rights and responsibilities for other decisions.

C. PERIODS OF PHYSICAL PLACEMENT

The Bill replaces the current concepts of "sole physical custody" (i.e., the physical custody rights of a parent awarded sole custody of a child) and parental "visitation rights" with a requirement that the court, in child custody actions, allocate periods of physical placement between the parents if in the best interest of the child.

The Bill requires the court, whenever it orders sole or joint legal custody to parents, to allocate periods of physical placement between the parents unless the court finds, after a hearing, that such allocation is not in the best interests of the child. The court, in making the allocation, is permitted to designate a primary physical placement for the child. However, the court may not provide for the child's primary placement to be with a parent who is not given either sole or joint legal custody.

The Bill specifies that a minor child is entitled to periods of physical placement with each parent consistent with the child's best interest.

D. MEDIATION

1. Definition of "Mediation"

The Bill defines "mediation" to mean a cooperative process involving the parties and a mediator, the purpose of which is to aid the parties, by application of communication and dispute resolution skills, in defining and resolving their own disagreements, with the best interest of the child as the paramount consideration.

2. Availability of Mediation Services in All Counties

a. The Bill requires all counties to make mediation services available either by: (1) establishing a family court counseling office to provide mediation services; or (2) contracting with one or more public or private agencies in the county or a contiguous county to provide these services.

b. If the family court counseling office option is selected, the Bill: (1) permits two or more contiguous counties to enter into a cooperative agreement for a single office to provide mediation services in the cooperating counties; and (2) permits the county (or counties, if a cooperative agreement is entered into) to direct that legal custody or physical placement studies also be provided by the office.

3. Director of Family Court Counseling Services

The Bill requires the circuit judges for each county (or counties, if a cooperative agreement is entered into), with the approval of the chief judge of the judicial administrative district, to appoint a director of family court counseling services. The director must be a qualified mediator and will have general administrative responsibilities for the operation of the counseling office, if any, and provision of mediation and related services.

4. Qualifications of Mediators

a. The Bill requires that persons conducting mediation under a county program must have, at a minimum, a master's degree or law degree or the equivalent and 40 hours of mediation training in an approved program.

b. The Bill excepts, from the degree requirement, persons with at least two years of marriage or family counseling or mediation experience prior to the date the Bill's mediation provisions take effect in a county. These persons must complete the training requirement within one year after that date.

5. Referral to Mediation

a. The Bill requires the court or the family court commissioner, in all actions affecting the family where it appears that legal custody or physical placement are contested, to refer the parties to mediation. The parties are required to attend an initial session with the mediator. The mandatory initial session is intended to provide the mediator and the parties with an opportunity to assess the possible efficacy and appropriateness of mediation in the particular case.

b. The Bill permits the family court commissioner to refer persons to mediation or other appropriate counseling services if: (1) the parties wish to have joint legal custody, but need assistance in resolving problems relating to joint legal custody or physical placement, or both; or (2) a person with physical placement rights, a child of such a person, a person with visitation rights or any person with physical custody of a child is experiencing difficulty in the exercise of these rights.

6. Mediation Procedure

The Bill establishes the following mediation procedure:

a. Unless the parties contract with a private mediator at their own expense, the director of the counseling service must assign a mediator to the case. If a private mediator is used, the parties must sign and file with the director and the court or family court commissioner, a written notice to that effect.

b. Issues of property division, maintenance and child support may not be considered in county-provided mediation, unless such issues are directly related to the legal custody or physical placement issues being considered and the parties agree.

c. If agreement is reached in mediation, a written agreement is submitted to the court as a stipulation for inclusion in a court order. The court is permitted only to approve or reject the agreement, not to modify it.

d. If agreement is not reached in mediation, the court is notified; a guardian ad litem is promptly appointed; the matter is referred for a legal custody or physical placement study, if appropriate; and the issues are resolved by usual judicial procedures.

7. Confidentiality; Privilege

a. The Bill creates a confidentiality requirement for any materials made, used or received by a mediator during the course of mediation. Such material is not a public record and, with certain exceptions, is not subject to discovery or admission in any action.

b. The Bill creates a privilege under the evidence code permitting, with certain exceptions, parties to mediation to refuse to disclose, and to prevent any other person from disclosing, a confidential communication made in the mediation.

8. Mediation Implementation Council

The Bill creates a nine-member mediation implementation council. The council is required to establish guidelines for: (a) mediation training programs; (b) mediator qualifications, in addition to those prescribed by law; (c) mediator equivalency qualifications; and (d) continuing mediator education requirements and programs. The council may also recommend additional legislation to improve the new mediation system.

The council, which goes out of existence after three years, consists of two persons with substantial experience in conducting family mediation (appointed by the Governor), two members of the State Bar (appointed by the Chief Justice of the Supreme Court) and five persons with a significant interest in and knowledge of mediation (two appointed by the Chief Justice and three by the Governor). The Director of State Courts Office is required to provide adequate office space for the executive secretary of the council and clerical and other necessary assistance to the council and the executive secretary.

9. Funding of Mediation and Study Services

The Bill funds county-provided mediation services and custody studies by: (a) a $5 increase in the filing fee in actions affecting the family; (b) a $25 increase in the fee for a post-judgment motion to modify a legal custody or physical placement order; (c) a $20 increase in the marriage license fee; and (d) creation of a "user fee."

The county can implement one or the other of the following user fees:

a. A single flat fee of $100 for mediation and $300 for studies, regardless of how many services are provided; or

b. A county-established "sliding scale" fee schedule which is based on the parties' ability to pay and which takes into account the additional fees provided under the Bill. Under this fee system, the fees paid by the parties would depend on the services actually used.

Whichever user fee the county utilizes, the county must provide the services regardless of the parties' ability to pay.

E. MODIFICATION OF CHILD CUSTODY ORDER

The Bill creates the following new standards for modification of child custody orders:

1. Legal Custody or Primary Physical Placement Order

Except where joint legal custody is changed to sole legal custody, a legal custody order or physical placement order, to the extent it applies to the child's primary placement, may be modified by the court, if: (a) the modification is in the child's best interest; and (b) there has been a substantial change of circumstances since the entry of the last order affecting legal custody or physical placement, whichever is applicable. There is a rebuttable presumption that continuation of the child's current primary placement is in the best interest of the child.

The Bill also specifies that, where the court has ordered sole legal custody in its original custody determination, the court is not permitted to modify that order for two years after the date of the order, unless a party is able to show that physical or emotional harm to the child will result if a modification is not permitted.

2. Joint Legal Custody Order

An order of joint legal custody may be modified to sole legal custody if the court finds that joint legal custody is no longer in the best interest of the child. The intent of using this lower standard for changing from joint to sole legal custody is to encourage parents to participate in joint legal custody without the fear of being "locked into" the arrangement if it does not work.

3. Other Physical Placement Orders

Those parts of a physical placement order which do not relate to primary placement may be modified whenever modification would serve the best interest of the child.

F. VISITATION RIGHTS OF NONPARENTS

The Bill extends the current law by permitting the court, upon petition, to also grant visitation rights to a stepparent and to any person who has maintained a parent-child relationship with a child. The court may also award visitation rights to any person upon the request of a parent of a child. {Current law, allowing visitation rights to a grandparent or great-grandparent, is not changed.}

G. FACTORS IN LEGAL CUSTODY DETERMINATIONS

The Bill creates the following additional factors the court must consider in making a legal custody or physical placement determination: (1) whether one party is likely to unreasonably limit the frequent and continuing contact of the child with the other party (the so-called "friendly parent" or "most generous" parent provision); (2) whether there has been child abuse by a party; (3) whether there has been interspousal battery affecting the best interest of the child; and (4) whether either party has a significant current problem with, or history of, alcohol or drug abuse.

The Bill also codifies current case law that child custody determinations cannot be made on the basis of race.

H. MISCELLANEOUS CHANGES

The Bill permits a parent who does not have legal custody of a minor child to have access to medical, dental, school and juvenile court records pertaining to the child unless prohibited by law.

The Bill repeals current requirements that: (1) the family court commissioner inform parties in divorce and legal separation actions of the availability of counseling and referral services; and (2) these actions may not be brought to trial until one of the parties has participated in such counseling.

The Bill requires the family court commissioner to: (1) inform the parties of available community resources and family court counseling services; and (2) provide to a party, upon request and at no cost, written information on the procedures involved in the party's action or proceeding and any services available to assist the parties.

I. INITIAL APPLICABILITY; EFFECTIVE DATE

The Bill's provisions apply to any judgment or order granted on or after the effective date of the enactment of the Bill, which is the day after publication.

The requirement for county provision of mediation services applies to each county on the date established by that county, or approximately one year after the Bill's effective date, whichever is earlier. Many counties may not be able to immediately comply with the Bill's provisions relating to mediation services.

Therefore, the Bill provides for a 12-month period during which a county (or counties, if there is a cooperative agreement for a family court counseling office) may, if it meets the requirements, use the mediation provisions in the Bill. This provision will:

1. Permit those counties which currently have mediation programs to take advantage of the Bill's mediation provisions as soon as possible on or after the effective date; and

2. Give other counties time to appoint a director of family court counseling services and either establish a family court counseling office or contract for family court counseling services.

All counties must comply with the mediation provisions on and after the first day of the 13th month following publication.

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APPENDIX A

1984-85

CUSTODY ARRANGEMENTS, SPECIAL COMMITTEE ON

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(1) Originally appointed as a Representative member; appointed as a Public Member of the Committee by a January 3, 1985 mail ballot.

APPENDIX B

COMMITTEE MATERIALS

Staff Materials

1. Staff Brief 84-6, Child Custody Law in Wisconsin (August 8, 1984).

2. Staff Brief 84-7, Child Support Law in Wisconsin (August 10, 1984; revised August 31, 1984).

3. MEMO NO. 1, Analyses of Assembly Substitute Amendments 1 and 2 to 1983 Senate Bill 353, Relating to Joint Custody and Visitation Rights (August 14, 1984).

4. MEMO NO. 2, General Discussion of Concept of Joint Custody of Children in Divorce and Other Actions Affecting the Family (September 10, 1984).

5. MEMO NO. 3, Issues Related to Joint Child Custody and Illustrative Statutory Provisions (September 10, 1984).

6. MEMO NO. 4, Summary of National Studies Relating to Joint Child Custody (September 10, 1984).

7. MEMO NO. 5, Materials Distributed at the Request of Committee Member Gary Bakke (October 8, 1984).

8. MEMO NO. 6, Description of Michigan's Office of the Friend of the Court and an Analysis of Michigan Law Providing for a Makeup Child Visitation Policy (October 8, 1984).

9. MEMO NO. 7, General Discussion of Concept and Use of Mediation in Divorce and Other Actions Affecting the Family (October 8, 1984).

10. MEMO NO. 8, Filing Fees and Divorce-Related Fees in Divorce Actions in the 50 States (November 5, 1984).

11. MEMO NO. 9, Summary of Court-Connected Domestic Relations Mediation Programs in Selected States (November 5, 1984).

12. MEMO NO. 10, Outline of Possible Elements of a Bill Draft Relating to Custody (November 2, 1984).

13. MEMO NO. 11, Materials Relating to the Practice, Structure and Funding of Family and Divorce Mediation (November 5, 1984).

14. MEMO NO. 12, Use of the Term "Child Custody" in Selected Wisconsin and Federal Laws (December 7, 1984).

15. MEMO NO. 13, Summary of Alternative Revenue Sources for Mediation Services in Divorce and Other Actions Affecting the Family (February 13, 1985).

16. MEMO NO. 14, Preliminary Estimate of Cost of Family Court Counseling Services in WLCS: 210/1 (February 15, 1985).

17. MEMO NO. 15, Materials Relating to Confidentiality in Divorce Mediation (February 15, 1985).

18. MEMO NO. 16, Revised Preliminary Estimate of Cost of Family Court Counseling Services Tentatively Recommended by the Committee (March 22, 1985).

19. MEMO NO. 17, Summary of the Special Committee's Tentative Recommendations and Suggestions for Changes in the Current Laws Relating to Granting Child custody and Visitation in Actions Affecting the Family (April 30, 1985).

20. MEMO NO. 18, Discussion of Current Law Relating to Determining Child Support and the Changes in Current Law Proposed by the Joint Committee on Finance (May 13, 1985).

Other Materials

1. Letter from Richard Malsch, President, Non-Custodial Parents' Rights Coalition, Inc. (August 15, 1984).

2. Letter from Gary Bakke, Committee Member (August 22, 1984).

3. Written suggestions for changes in the current child custody laws from Gary Bakke, Committee Member (September 6, 1984).

4. Letter from James A. Drummond, Racine (September 24, 1984).

5. Draft of Model Joint Custody Statute of the American Bar Association's Child Custody Committee (September 27, 1984).

6. Letter from Wanda Auerbach, Middleton (September 27, 1984).

7. Letter and written testimony from William Johnson Everett (September 27, 1984).

8. Letter from Gordon Lipsky, West Allis (September 28, 1984).

9. Letter from Lee Erlanson, Legislative Liaison, National Organization for Women-Madison Chapter (September 30, 1984).

10. Letter from Marilyn Henderson, Marathon County Mediation Services (October 1, 1984).

11. Written remarks by Carol W. Medaris, Staff Attorney, Legal Action of Wisconsin, Inc. (October 2, 1984).

12. Written remarks by David T. Bice, Ph.D., Licensed Psychologist, Madison (October 2, 1984).

13. Written remarks by Dr. Jack C. Westman, M.D., Professor of Psychiatry, Univeristy of Wisconsin-Madison (October 2, 1984).

14. Written remarks by Emily Auerbach, Madison (October 2, 1984).

15. Written remarks by Lori Ohmes, 4 C's of Milwaukee County, Inc. (October 2, 1984).

16. Written remarks by William N. Fetzner, Ph.D., Madison (October 2, 1984).

17. Letter from Rhonda Hudson, Madison (October 5, 1984).

18. Written remarks by Mary Grady, President, League of Women Voters of Wisconsin, Inc. (October 11, 1984).

19. Written suggestions for changes in the current child custody laws from Kevin Van Kampen, Committee Member (October 29, 1984).

20. Written suggestions for changes in the current child custody laws from Julilly Kohler, Committee Member (November 2, 1984).

21. Letter from Beverly Bliss, Committee Member (November 5, 1984).

22. Letter from Anne M. Nesgard, Sturtevant (November 6, 1984).

23. Letter from Judge Thomas Williams, Committee Member (November 13, 1984).

24. "Working Draft of Custody Legislation" from Beverly Bliss, Martha Fineman, Kathleen Jeffords and Ada Skyles, Committee Members (December 13, 1984).

25. Written suggestions for changes in the current child custody laws from Judge Thomas Williams, Committee Member (December 16, 1984).

26. "Crisis In Child Support," TRIAL (December 1984).

27. Letter from Judge Vincent K. Howard, Circuit Court, Marathon County (January 23, 1985).

28. Letter from Attorney Shelley J. Gaylord, Madison (January 24, 1985).

29. Letter from Susan R. Mudd, Legal Action of Wisconsin, Inc. (February 11, 1985).

30. Memorandum from Judy Toole, Assistant Dane County Corporation Counsel, to Kathleen Jeffords (February 13, 1985).

31. Divorce Information Guide, Family Court Commissioner's Office, Racine County (submitted by Kevin Van Kampen, February 18, 1985).

32. Department of Health and Social Services Memorandum by Mary Southwick, Director, Bureau of Economic Assistance, to John Torphy, Deputy Secretary (February 28, 1985).

33. "AFDC Eligibility and Joint Custody: A Study of the States' Policies and Procedures," National Conference on Social Welfare (March 1984) (submitted March 4, 1985).

34. "Case Study of Current Custody Standards in Wisconsin," Circuit Judge Patrick Snyder, Waukesha County (January 1985) (submitted March 25, 1985).

35. Polikoff, Nancy D., "Custody and Visitation: Their Relationship to Establishing and Enforcing Support," Women's Legal Defense Fund (April 22, 1985).

36. Written remarks by Ralph Ibsen, Family Court Program, Outagamie County Department of Social Services (May 7, 1985).

37. Written remarks by Neal Skrenes, Secretary, Non-Custodial Parents' Rights Coalition (May 13, 1985).

38. Written remarks by Richard Malsch, President, Non-Custodial Parents' Rights Coalition (May 13, 1985).

39. "Child Custody, Child Support Arrangements and Child Support Payment Patterns," Jessica Pearson and Nancy Thoennes (August 18, 1984) (submitted May 13, 1985).

40. Letter from Donna J. Runnels, Racine (May 14, 1985).

41. Letter from Irvin and Beatrice Van Ess (May 14, 1985).

42. Letter from Attorney Shelley J. Gaylord, Madison (May 16, 1985).

43. Everett, William Johnson, "Shared Parenthood in Divorce: the Parental Covenant and Custody Law," The Journal of Law and Religion (1984) (submitted May 20, 1985).

44. Letter from Barbara E. Lightner, Madison Institute for Social Legislation, Madison (May 20, 1985).

45. Department of Health and Social Services' policy directive on joint custody and eligibility for Aid to Families with Dependent Children, effective April 1, 1985 (submitted by Mary Southwick, Director, Bureau of Economic Assistance, Division of Community Services) (May 20, 1985).

46. Letter from Lee and Lucille Sumpter, Grandparents' Childrens' Rights, Inc., Haslett, Michigan (May 21, 1985).

47. Letter from Harry and Cheryl Sulyer, Madison (May 25, 1985).

48. Letter from Amy Shapiro, Staff Attorney, Legal Action of Wisconsin, Inc. (May 29, 1985).

49. Letter from Lucy Cooper, Committee Member (June 2, 1985).

50. "Proposals for Modification of WLCS: 210/3" (submitted by Beverly Bliss, Martha Fineman, Kathleen Jeffords and Ada Skyles, Committee Members) (undated).